

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 29, 2001

DIVISION ONE

B146127 Breiholz et al. (Not for Publication)

v.

Farmers Group, Inc., et al.

The judgment is affirmed. Farmers is awarded its costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.

Ortega, J.

B138582 Straight (Not for Publication)

v.

Logical Computer Services, Inc., et al.

The judgment is affirmed. Logical and Caldwell are awarded their costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.

Ortega, J.

B141800 Vinci (Not for Publication)

v.

Aida Grey Inc.

The judgment is affirmed. Aida Grey is entitled to its costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.

Ortega, J.

DIVISION ONE (Continued)

B144715 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Jessica L.

We affirm the challenged order.

Ortega, J.

We concur: Spencer, P.J.
 Mallano, J.

B135633 People (Not for Publication)
v.
Pagan et al.

We affirm the judgments.

Ortega, J.

We concur: Spencer, P.J.
 Mallano, J.

B143432 Ezell (Not for Publication)
v.
Eldridge

We reverse the order denying Eldridge's motion to strike, and remand for the trial court to enter a new order granting the motion and dismissing Ezell's complaint against Eldridge. The trial court is also ordered to conduct a hearing and fix Eldridge's attorney fees and costs under section 425.16, subdivision (c), and enter an award for such amount. Eldridge is entitled to his appellate costs.

Ortega, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B148045 City Of Pomona et al.
 v.
 Superior Court, Los Angeles County
 (James Jones Company et al., r.p.i.)

Filed order modifying opinion. (No change in the judgment)

B145896 Sherrie Ellman and
 Meryl Gladstone (Certified for Publication)
 v.
 Granadino

The order is reversed. The superior court is directed to enter a new and different order appointing appellant conservator of Ramirez's person and estate. In conjunction therewith, the court is directed to enter orders setting a visitation schedule that allows each child visitation free from the other child's interference, prohibiting Canizales from harassing appellant by repeatedly calling in various agencies, and any other orders the court deems appropriate for case management. Appellant is to recover costs on appeal.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
 Mallano, J.

B119341 People (Not for Publication)
 v.
 Ruben G.

The order is affirmed. The case is remanded with directions to amend the dispositional order to reflect the correct maximum term of confinement.

Spencer, P.J.

We concur: Ortega, J.
 Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B140310 People (Not for Publication)
v.
Ceja

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B139581 Farmers and Merchants
Bank of Long Beach (Not for Publication)
v.
Bennett

We modify the judgment to include the \$75,000 offset from Bennett's co-defendants' settlement ordered in the statement of decision but inadvertently omitted from the judgment. We remand the case to the trial court to prepare an amended judgment reflecting our modifications. As so modified, we affirm the attorney fees order. We award the Bank its costs and, pursuant to the fee provision in the note, its attorney fees on appeal, in an amount to be proven in a hearing before the trial court. We also impose sanctions for a frivolous appeal of, respectively, \$900 on Bennett personally, and \$900 on Bennett's appellate counsel personally, payable to the clerk of this court.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

June 29, 2001-Continued

DIVISION ONE (Continued)

B140845 People (Not for Publication)
v.
Young

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

DIVISION THREE

B141781 People v. Gibson (Certified for Publication)

The judgment is affirmed.

Fidler, J. (Assigned)

We concur: Klein, P.J.
Kitching, J.

B130210 Adelman, et al. (Certified for Publication)
v.
Associated International Insurance Company

The order of dismissal is affirmed. AHC shall recover costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Perluss, J. (Assigned)

DIVISION THREE (Continued)

B141719 People (Not for Publication)
v.
Welchert

The judgment is modified to strike four one-year enhancements imposed pursuant to former Vehicle Code section 231.82. The Clerk of the Court is ordered to prepare an amended abstract of judgment as set forth in this opinion and to forward a corrected copy to the Department of Corrections. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Fidler, J. (Assigned)

B137320 Chateau Chamberay
Homeowners Association (Not for Publication)
v.
Associated International Insurance Company

The judgment is affirmed. AIIC shall recover its costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

B142271 People (Not for Publication)
v.
Phillips

The judgment is reversed.

Croskey, J.

We concur: Klein, P.J.
Fidler, J. (Assigned)

DIVISION FOUR

B133244 Abu-Khalil (Not for Publication)
 v.
 Abu-Khalil

The judgment is affirmed. Costs are awarded to respondent wife.

Curry, J.

We concur: Epstein, Acting P.J.
 Hastings, J.

B143077 People (Not for Publication)
 v.
 Salinas

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
 Hastings, J.

B142799 People (Not for Publication)
 v.
 Pennington

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
 Curry, J.

DIVISION FIVE

B144906 Janine Pennock et al. (Not for Publication)
 v.
 Alexander Villicana

The judgment confirming the arbitration award in favor of defendant Alexander Villican, M.D., is reversed. The order granting defendant's petition to compel arbitration is reversed. The trial court is directed, on remand, to enter an order denying defendant's petition to compel arbitration. Plaintiffs, Janine Pennock and Elizabeth Molinar, are to recover their costs on appeal from defendant, Alexander Villicana, M.D.

Turner, P.J.

We concur: Grignon, J.
 Armstrong, J.